

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

October 13, 2006

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Authorization to Execute Leases for Private Noncommercial  
Pier Purposes issued after June 30, 2006; Wailupe and  
Kaneohe, Oahu; TMK (1) 3-6-1:34, 4-4-18:74, 4-4-37:35, 4-5-  
58:37, 4-7-10:40, 4-7-30:15 seaward

REMARKS:

Pursuant to Act 261, SLH 2000, the Board is authorized to issue direct leases for private noncommercial pier purposes without obtaining the prior approval of the Governor and the Legislature. Act 129, SLH 2005, extends the sunset date of Act 261 to June 30, 2007. Further, Act 129 urges the Board to commence using prevailing real property tax assessment value in determining the lease rent for leases entered into after July 1, 2006 to prompt procrastinating owners who desire to enter into leases with the State.

As of the date of this submittal, there are over 120 leases issued pursuant to Act 261. Over 90% of the executed leases are in the Kaneohe area, while the rest are on Wailupe Peninsula.

Due to our requirements prior to the execution of a lease, e.g. tax clearance and liability insurance, etc., some owners experienced delays in returning the signed document to us by June 30, 2006. The following six (6) cases are the owners who are waiting for the tax clearance, liability insurance, and survey map:

<u>Tax Map Key</u>	<u>Name</u>
(1) 3-6-001:034	Edward J. Weldon, III
(1) 4-4-018:074	Dorothy Nakama
(1) 4-4-037:035	Kathleen Brizuela
(1) 4-5-058:037	Craig Kagawa
(1) 4-7-010:040	John Thomas
(1) 4-7-030:015	Frank Medrano

Staff believes that these applicants are acting in good faith to comply with our requirements prior to the execution of a lease. Therefore, staff requests that the Board authorize the Chairperson to execute these leases although they are not based on the prevailing real property tax assessment value, for good cause.

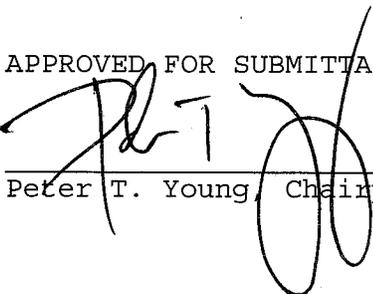
RECOMMENDATION:

That the Board authorize the Chairperson to execute the subject leases mentioned in the Remarks Section after June 30, 2006 for private noncommercial pier purposes, although they are not based on the prevailing real property tax assessment value, for good cause.

Respectfully Submitted,

  
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Barry Cheung  
Land Agent

APPROVED FOR SUBMITTAL:

  
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Peter T. Young, Chairperson